

# **CITY OF SAN ANTONIO**

## **Zoning Commission Agenda**

Board Room  
First Floor, Development Business Service Center  
1901 S. Alamo

**October 18, 2005**  
**Tuesday, 10:00 A.M.**

### **ZONING COMMISSIONERS**

Gilbert Kissling – District 1	James Gray – District Mayor
Juretta Marshall – District 2	Jody Sherrill – District 7
Joe Farias – District 3	Dr. Morris A. Stribling – District 8
Henry Avila – District 4	James McAden – District 9
Eiginio Rodriguez – District 5	Robert R. Robbins – District 10
Christopher R. Martinez – District 6	
Chairman	

1. **10:00 am - Workshop and discussion with the San Antonio Water System, Development Services Department and City Attorney's Office concerning recommendations for zoning changes within the Edwards Recharge Zoning District for October 18, 2005, in the Tobin Room, 1901 S. Alamo, Development Business Services Center.**
2. **11:30 - Work Session presentation by Planning Staff of an ordinance amending Chapter Thirty-five of the City Code by amending Section 35-304 pertaining to "Official Zoning Map" to establish the Beacon Hill Area Neighborhood Conservation District 5 (NCD-5) Overlay District, presentation by Bill Telford on the 2005 Annual Unified Development Code Update program to include presentation and review of all amendments contained in UDC Amendment Packet "A" (15 amendments), Packet "B" (22 amendments) & Packet "C" (21 amendments) and presentation by Zoning Staff to discuss zoning case recommendations and other items for consideration on agenda for October 18, 2005, in the Tobin Room, 1901 S. Alamo, Development Business Services Center.**
3. Call to Order – Board Room – 1:00 PM.
4. Roll Call.
5. Pledge of Allegiance.
6. Director's Report.
7. Approval of October 4, 2005 Minutes.

8. **ZONING CASE NUMBER Z2005218 CD S:** The request of Brown, P. C., Attorneys at Law, Applicant, for Fourth Quarter Properties d/b/a/ Thomas Acquisition Corporation, Owner(s), for a change in zoning from “C-3R” ERZD “GC-1” Commercial Restrictive Alcoholic Sales Edwards Recharge Zone District Gateway Corridor Overlay District-1 and “C-3” ERZD “GC-1” General Commercial Edwards Recharge Zone District Gateway Corridor Overlay District-1 to “C-2” CD Conditional Use for a Freight Depot) S ERZD “GC-1” Commercial Edwards Recharge Zone District Gateway Corridor Overlay District-1 with a Conditional Use and a Specific Use Permit for a Freight Depot on 9.835 acres out of NCB 14881 and 14882. Property generally located East of I-10 and North of Loop 1604.  
(Council District 8)
9. **ZONING CASE NUMBER Z2005231:** The request of Brown, P. C., Attorneys at Law, Applicant, for Big Springs, Ltd., Owner(s), for a change in zoning from PUD “R-6” ERZD Planned Unit Development Residential Single-Family Edwards Recharge Zone District to “MF-33” ERZD Multi-Family Edwards Recharge Zone District on P-10, NCB 19219, West of the intersection of 281 North and Evans Road.  
(Council District 9)
10. **ZONING CASE NUMBER Z2005233 S:** The request of Jerry Arredondo, Applicant, for Stone Oak Enterprises, L. P., Owner(s), for a change in zoning from “C-2” ERZD Commercial Edwards Recharge Zone District to “C-2” S ERZD Commercial Edwards Recharge Zone District with a Specific Use Permit for a Bar on 0.0620 acres out of NCB 17608, 19141 Stone Oak Parkway, Suite 206.  
(Council District 9)
11. **ZONING CASE NUMBER Z2005183 S:** The request of Craig A. Slein, Applicant, for Craig A. Slein, Owner(s), for a change in zoning from “I-2” Heavy Industrial District to “RE” S Residential Estate District with Specific Use Permit for One Manufactured Home on Lot 1, Lot 2 and Lot 3, NCB 10579, 1027 Creekview Drive. (Council District 2)  
  
A. Finding of consistency with Master Plan.  
B. Recommendation on zoning change request.
12. **ZONING CASE NUMBER Z2005212:** The request of Joseph A. Marotta, M.D., Applicant, for Jose Alonzo, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “O-1” Office District on the west 100 feet and “C-2NA” Commercial, Nonalcoholic Sales District on the remainder of the subject property on the west 356 feet of Lot A, NCB 7898, 803 Pleasanton Road.  
(Council District 5)  
  
A. Finding of consistency with Master Plan.  
B. Recommendation on zoning change request.
13. **ZONING CASE NUMBER Z2005227:** The request of Jerry Arredondo, Applicant, for Gordon Schabert, Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “NC” Neighborhood Commercial District on Lot 35, Block 20, NCB 9223, 570 Hermine Road.  
(Council District 1)  
  
A. Finding of consistency with Master Plan.  
B. Recommendation on zoning change request.

14. **ZONING CASE NUMBER Z2005234 CD:** The request of Joseph N. Barfield, Applicant, for Joseph N. Barfield, Owner(s), for a change in zoning from “R-5” Residential Single-Family District to “R-5” CD (Bed and Breakfast) Residential Single-Family District with Conditional Use for a Bed and Breakfast on Lot 18, Block 1, NCB 13441, 606 Jackson Keller Road. (Council District 1)
15. **ZONING CASE NUMBER Z2005235:** The request of Brown, P. C., Applicant, for Presto Tierra, Ltd., Owner(s), for a change in zoning from “FR” Farm and Ranch District, “RD” Rural Development District and “MI-1” Mixed Light Industrial District to “MPCD” Master Planned Community District on 532.59 acres out of CB 4298, Southwest corner of Watson Road and State Highway 16. (Council District 4)
16. **ZONING CASE NUMBER Z2005180:** The request of Milton Zaiontz, Applicant, for Milton Zaiontz, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “R-5” Residential Single-Family District on 37.007 acres out of NCB 15604. Generally bound by Dempsey Drive on the north, War Cloud Drive and Big Creek Drive on the west, War Horse Drive on the south, and Leon Creek on the east. (Council District 4)
17. **ZONING CASE NUMBER Z2005232:** The request of Brown, P. C., Applicant, for W. P. Southwell, Owner(s), for a change in zoning from “O-1” Office District to “R-6” Residential Single-Family District on Lots 119 through 122, Block E, NCB 11545, 128 Woodside Drive. (Council District 7)
18. **ZONING CASE NUMBER Z2005229:** The request of Jerry Arredondo, Applicant, for Gordon Schabert, Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “O-1” Office District on Lot 41, Block 7, NCB 10994, 274 Birchwood Drive. (Council District 1)
19. **ZONING CASE NUMBER Z2005236:** The request of Lancaster Development Company, Applicant, for Tom E. Turner Family Foundation, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to PUD “MF-25” Planned Unit Development Multi-Family District not to exceed 26 units on Lot H and Lot I, NCB 12104, 2900 Nacogdoches Road. (Council District 10)
20. Executive Session: consultation on Attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
21. **ADJOURNMENT**

**Accessibility Statement**

This meeting is wheelchair accessible. The accessible entrance is located at 1901 S Alamo. Accessible parking spaces are located in front of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling 207-7245

# CASE NO: Z2005180

## Final Staff Recommendation - Zoning Commission

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**Date:** October 18, 2005

Continuance from August 16, 2005, September 06, 2005, and October 04, 2005

**Council District:** 4

**Ferguson Map:** 680 D1 and 645 D

**Applicant Name:**

Milton Zaiontz

**Owner Name:**

Milton Zaiontz

**Zoning Request:** From "R-6" Residential Single-Family District to "R-5" Residential Single-Family District.

**Property Location:** 37.007 acres out of NCB 15604

Generally bound by Dempsey Drive on the north, War Cloud Drive and Big Creek Drive on the west, War Horse Drive on the south, and Leon Creek on the east

South of the intersection of Ray Ellison Boulevard and Pearsall Road

**Proposal:** To develop single-family residential homes

**Neigh. Assoc.** Hidden Cove/Indian Creek Neighborhood Association and Southwest Community Association

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required.

**Staff Recommendation:**

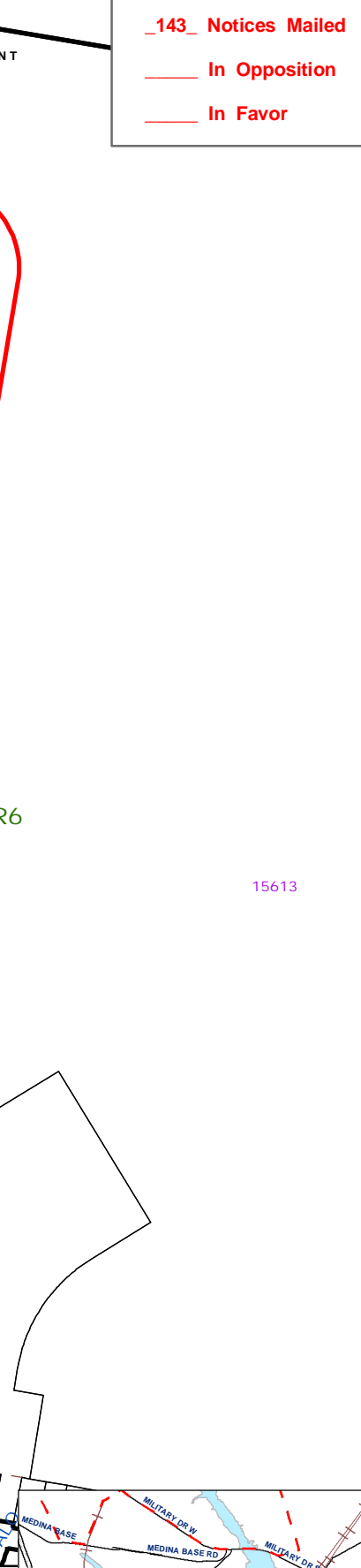
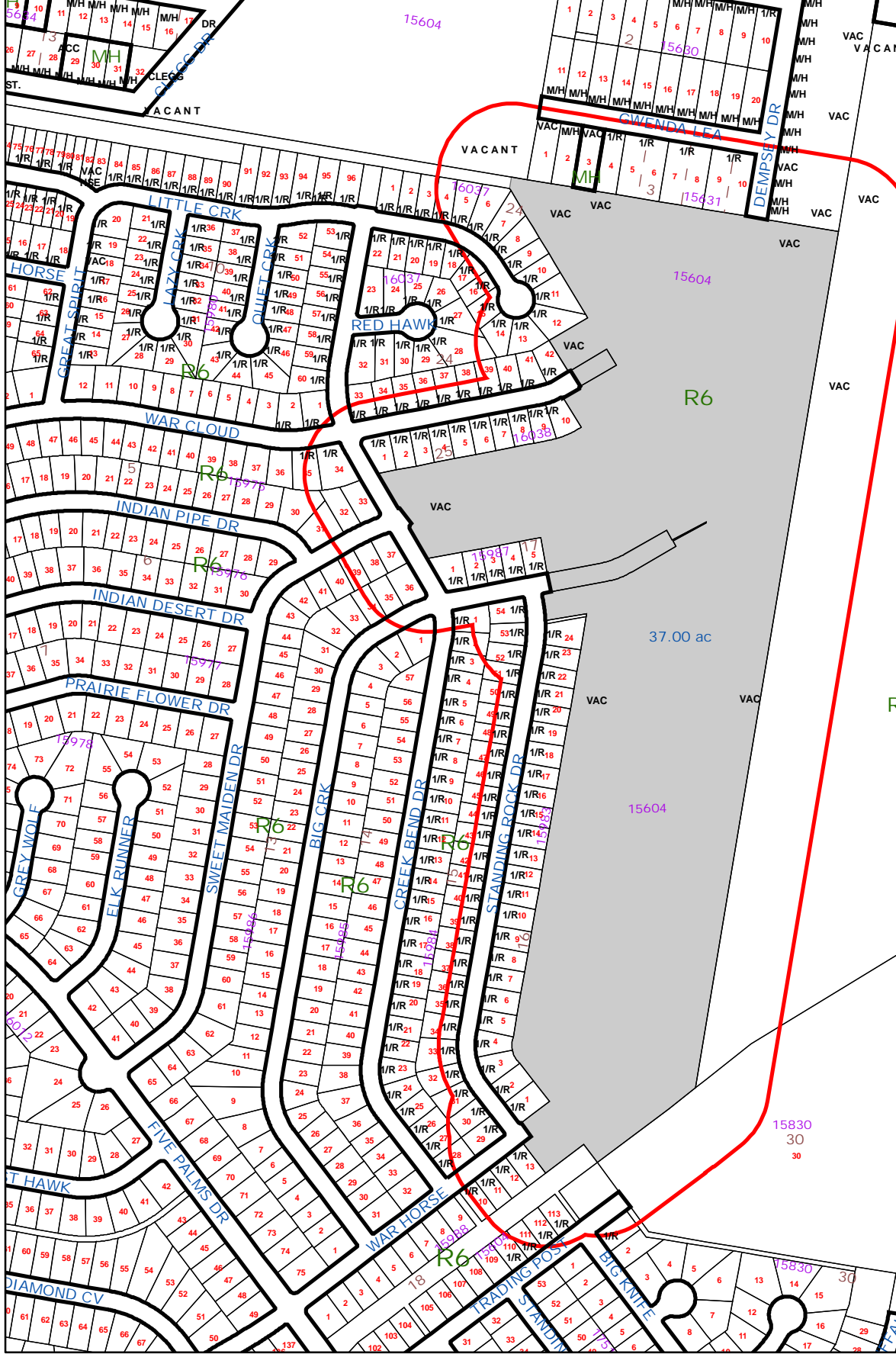
Approval.

The subject property is currently vacant. The surrounding properties to the west and south are developed as single-family residential units. The property to the east is vacant and zoned for residential. The change in zoning would allow for an increase of two units per acre, which brings the total increase on this property to an increase of 74 units. The proposed zoning would allow for residential development on a minimum lot size of 5,000 square feet. Higher density development is recommended within the 410 Loop. This zoning change would be appropriate at this location.

The Zoning Commission previously heard this case in January of 2004 (Z2004022). Zoning staff recommended denial due to traffic concerns. The case was withdrawn. These concerns have been addressed by extending Big Creek and eventually connecting to Ray Ellison Boulevard.

**CASE MANAGER :** Robin Stover 207-7945

**\_143\_ Notices Mailed**  
 — In Opposition  
 — In Favor



# **ZONING CASE: Z2005-180**

**City Council District No. 4**  
**Requested Zoning Change**  
**From "R-6" To "R-5"**  
**Date: October 18, 2005**  
**Scale: 1" = 400'**

■ Subject Property  
 ○ 200' Notification



# CASE NO: Z2005183 S

## Final Staff Recommendation - Zoning Commission

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**Date:** October 18, 2005

Zoning Commission continuance from August 16, 2005 and September 20, 2005

**Council District:** 2

**Ferguson Map:** 618 C3

**Applicant Name:**

Craig A. Slein

**Owner Name:**

Craig A. Slein

**Zoning Request:** From "I-2" Heavy Industrial District to "RE" S Residential Estate District with Specific Use Permit for One Manufactured Home.

**Property Location:** Lot 1, Lot 2 and Lot 3, NCB 10579

1027 Creekview Drive

Westside of Creekview Drive north of Gembler Road

**Proposal:** Manufactured home

**Neigh. Assoc.** United Homeowners Association

**Neigh. Plan** Arena District/Eastside Community Plan

**TIA Statement:** A Traffic Impact Analysis is not required.

### Staff Recommendation:

Consistent.

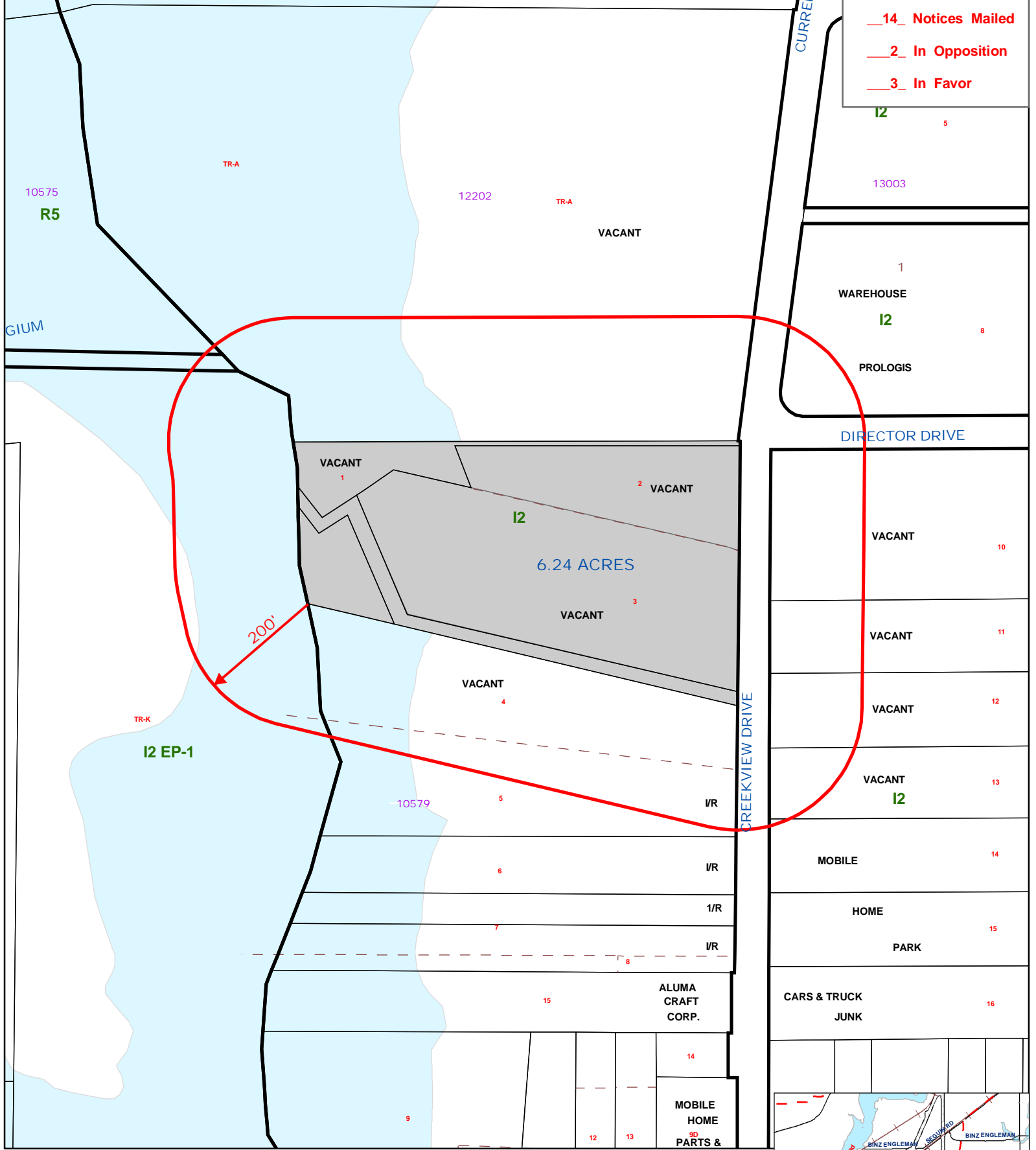
The Arena District/Eastside Community Plan identifies this site as High Density, Multifamily Residential and Open Space/ Park. Request conforms with land use plan if applicant rezones area outside the Open Space/ Park designation only. If applicant rezones the entire parcel applicant will need a plan amendment.

### Approval

The subject property is currently undeveloped and located on Creekview Drive a local access street. The subject property is adjacent to "I-2" Heavy Industrial District to the north (vacant), south (vacant) and across the street to the east (vacant). The "RE" S Residential Estate District with Specific Use Permit for One Manufactured Home would be appropriate at this location due to the surrounding uses and natural features.

Registration of Development Preservation Rights to allow proposed residential use at 1027 Creekview Drive was issued on April 16, 2004. The Development Preservation Rights was issued for a single-family dwelling not a manufactured home.

**CASE MANAGER :** Pedro Vega 207-7980



14 Notices Mailed  
2 In Opposition  
3 In Favor

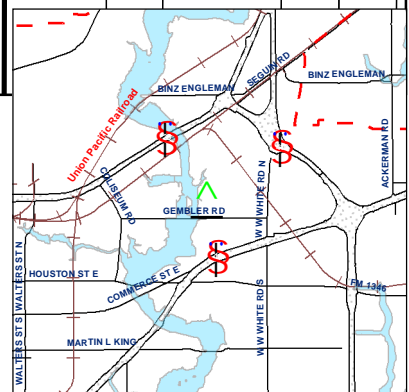
# ZONING CASE: Z2005-183 S

City Council District No. 2  
Requested Zoning Change  
From "I-2" To "RE"S  
Date: October 18, 2005  
Scale: 1" = 200'

Subject Property  
200' Notification



C:\Aug\_2\_2005



# CASE NO: Z2005212

## Final Staff Recommendation - Zoning Commission

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**Date:** October 18, 2005

**Council District:** 5

**Ferguson Map:** 650 D4

**Applicant Name:**

Joseph A. Marotta, M.D.

**Owner Name:**

Jose Alonzo

**Zoning Request:** From "R-6" Residential Single-Family District to "O-1" Office District on the west 100 feet of Lot A, NCB 7898 and "C-2 NA" Commercial, Nonalcoholic Sales District on the east 256 feet of the west 356 feet of Lot A, NCB 7898.

**Property Location:** The west 356 feet of Lot A, NCB 7898

803 Pleasanton Road

West of the Intersection of Beatrice Avenue and Pleasanton Road

**Proposal:** To build a doctor's office and possibly a pharmacy

**Neigh. Assoc.** None

**Neigh. Plan** South Central San Antonio Neighborhood Plan

**TIA Statement:** A Traffic Impact Analysis is not required, but may be required when the plat is submitted.

### Staff Recommendation:

Inconsistent

The South Central San Antonio Community Plan is currently being updated. The update will be heard before the Planning Commission on October 26, 2005. The land use plan update identifies mixed use for the property. The requested "C-2 NA" would be consistent.

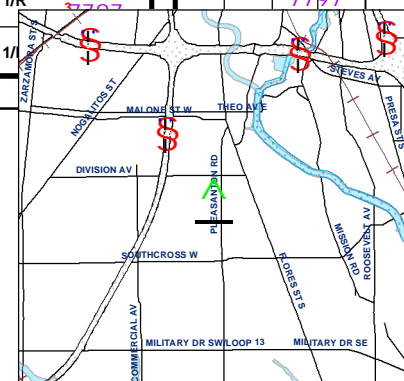
Approval Contingent on Plan Update

The subject property is currently vacant and is located on Pleasanton Road (a major thoroughfare). There is a tire shop and a bar located on the front portion of the property. The surrounding properties to the north, west, and south are primarily developed for single-family residential and the properties to the east are used for commercial purposes.

The proposed zoning would allow for the development of the requested doctor's office on the back portion of the property. The proposed medical office would be developed on the entire lot. The tire shop and lounge will be removed. The recommended O-1 District on the western portion of the property would serve as a buffer to the residential development. Furthermore, this zoning change would be an extension of the commercial use on the eastern portion of the property. A medical facility would be more appropriate at this location.

**CASE MANAGER :** Robin Stover 207-7945





# CASE NO: Z2005218 CD S

## Final Staff Recommendation - Zoning Commission

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**Date:** October 18, 2005

**Council District:** 8

**Ferguson Map:** 514 D3

**Applicant Name:**

Brown, P. C., Attorneys at Law

**Owner Name:**

Fourth Quarter Properties d/b/a/ Thomas Acquisition Corporation

**Zoning Request:** From "C-3 R ERZD" GC-1 Commercial Restrictive Alcoholic Sales Edwards Recharge Zone District Gateway Corridor Overlay District-1 and "C-3 ERZD" GC-1 General Commercial Edwards Recharge Zone District Gateway Corridor Overlay District-1 to "C-2 CD (Conditional Use for a Freight Depot) S ERZD" GC-1 Commercial Edwards Recharge Zone District Gateway Corridor Overlay District-1 with a Conditional Use and a Specific Use Permit for a Freight Depot.

**Property Location:** 9.835 acres out of NCB 14881 and 14882

Property generally located East of I-10 and North of Loop 1604

**Proposal:** To allow for a railroad reload facility (lumber freight depot)

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required

### Staff Recommendation:

Approval

The subject property is currently vacant and is partially located in the floodplain. The surrounding properties are zoned for commercial use, but not yet developed. The proposal is to pave more than half of the 9 acres to allow for a staging area for semi-trucks that will be loaded with materials from a train. The materials will be stored in the truck until needed, then moved to the lumberyard located to the north on IH 10. This area is naturally buffered by vegetation and the floodplain. This zoning change would be appropriate at this site due to the surrounding land uses and the natural buffer.

Conditions:

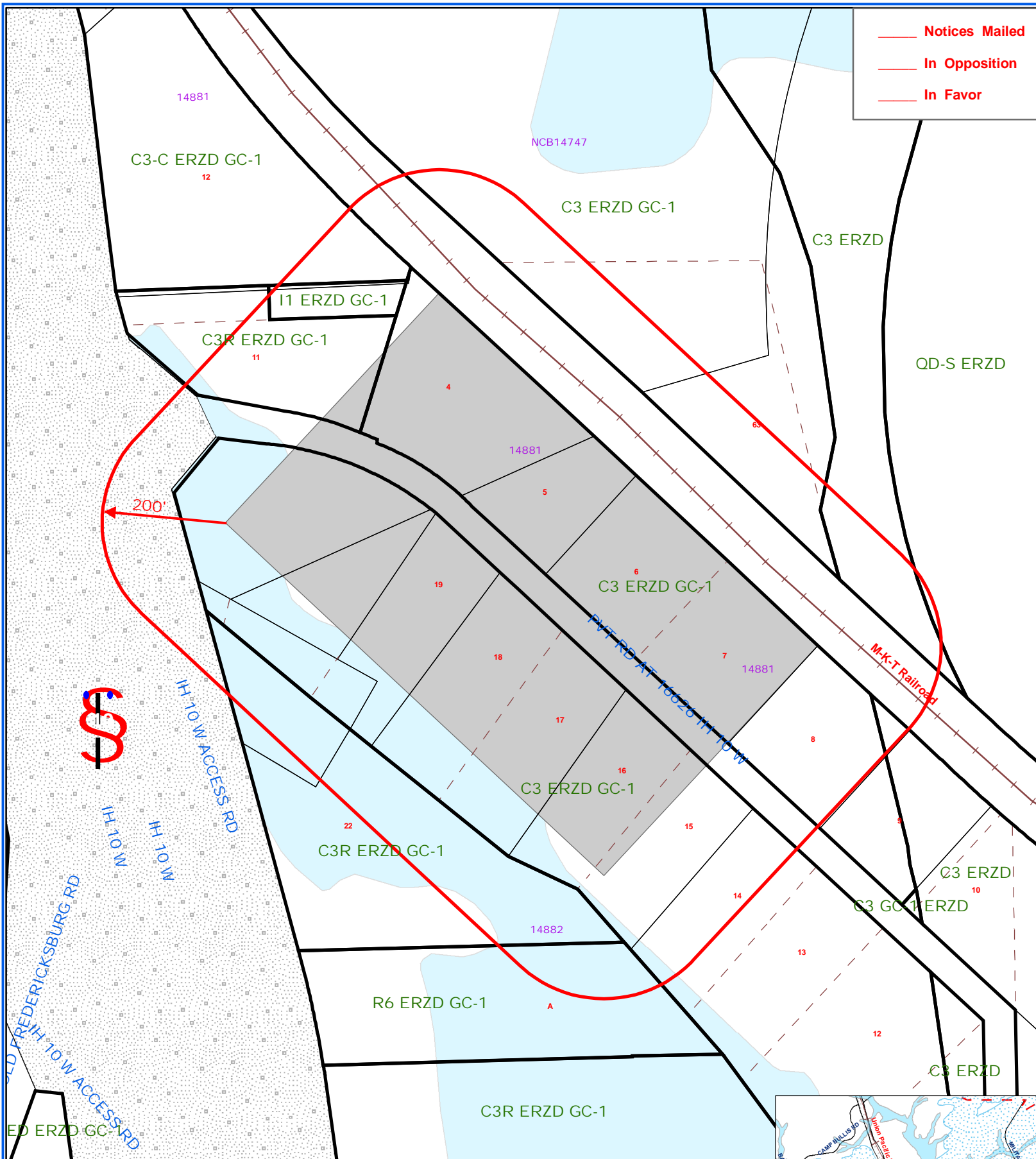
1. The freight depot is for off loading and loading lumber only.

SAWS Summary:

1. SAWS recommends approval of the proposed land use.
2. This site is a Category 2 property
3. SAWS recommends that the impervious cover on the site shall not exceed 65%

**CASE MANAGER :** Robin Stover 207-7945

— Notices Mailed  
— In Opposition  
— In Favor

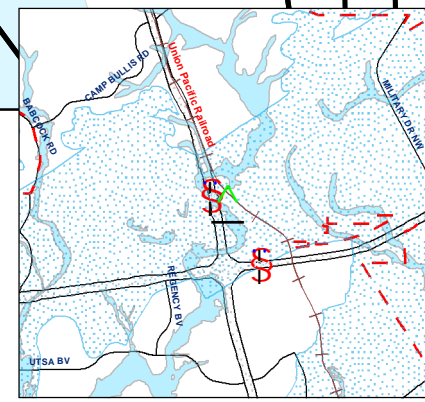


# ZONING CASE: Z2005-218CD S

City Council District No. 8  
Requested Zoning Change  
From "C-3R ERZD GC-1" To "C-2 ERZD CD S GC-1"  
Date: October 18, 2005  
Scale: 1" = 200'

■ Subject Property  
○ 200' Notification

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**SAN ANTONIO WATER SYSTEM**  
**Interdepartment Correspondence Sheet**

DEV. SERVICES

2005 OCT 12 P 1:43

**To:** Zoning Commission Members

**From:** Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Karen Lizcano, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

**Subject:** Amended Zoning Case Z2005218 (Railroad Reload Facility)

**Date:** October 11, 2005

**SUMMARY**

A request for a change in zoning has been made for an approximate 9.8-acre tract located on the city's northwest side. A change in zoning from "C-3 R ERZD GC-1 and C-3 ERZD GC-1" to "C-2 CDS ERZD GC-1" is being requested by the applicant, Mr. Ken Brown. The change in zoning has been requested to allow for the unloading and reloading of lumber from railcars to transport trucks.

**As of the date of this report, an official request for a category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information provided, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".**

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

**LOCATION**

The subject property is located in City Council District 8, near the northeast corner of I.H. 10 and Loop 1604. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

## **SITE EVALUATION**

### **1. Development Description:**

The proposed change is from "C-3 R ERZD GC-1 and C-3 ERZD GC-1" to "C-2 CDS ERZD GC-1" and will allow for the construction of a reload facility. This reload facility is essentially a large, open area with no existing structures. The loading/unloading pad will be constructed of asphalt material. Both borate treated and untreated lumber will be off-loaded from railcars onto transport trucks. Two lumber yards are being served by this facility. The applicant has stated that sufficient covered storage space at the respective locations is available to absorb all shipments as they arrive. Neither temporary storage nor delays in transportation at the site is anticipated. This facility is relocating from an area which is north of the property.

### **2. Surrounding Land Uses:**

Fiesta Texas Theme Park is located west of the property, across I.H. 10. A quarry was in operation to the north. The property to the south is undeveloped. A railroad line abuts the property on the eastern side.

### **3. Water Pollution Abatement Plan:**

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to the commencement of construction.

### **4. Geologic Features:**

The Resource Protection Division of the San Antonio Water System conducted an evaluation on September 2, 2005 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Mr. Gregory James, P.G., was present during the site evaluation and observed no sensitive recharge feature, although Edwards outcropping was visually apparent. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Dolomitic Member of the Edwards Aquifer.

The project site was previously utilized as a small residential subdivision. One abandoned home was located on the site. One abandoned, unplugged well and one abandoned septic system was located on the property. Many pad sites were observed, these may have been mobile home sites. The site was over grown with vegetation and did not appear to have been inhabited at any time in the recent past. Additional wells and/or septic systems may be located on the site. One empty drum with an antifreeze label on it was located on the site. According to FEMA Flood Insurance Maps, a portion of the subject site is located within the 100-year floodplain.

## **ENVIRONMENTAL CONCERNS**

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

1. Site Specific Concerns:

- A. One abandoned well is located on the site and there is potential for contamination of the Edwards Aquifer via the well.
- B. One abandoned septic system is located on the site and there is potential for contamination of the Edwards Aquifer.
- C. The transport of hazardous materials/substances in the railroad cars to and from the site.
- D. Exposure of Borate treated lumber to environmental conditions may increase pollutants in the stormwater carried off during rain events.
- E. A portion of the property lies within the floodplain, and the potential increase of sediment load resulting from the additional runoff created by the development

2. Standard Pollution/Abatement Concerns:

- A. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
- B. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

## **ENVIRONMENTAL RECOMMENDATIONS**

If the property is rezoned by the San Antonio City Council, then the following conditions shall apply to address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

### **Site Specific**

- 1. The impervious cover shall not exceed 65% on the site.
- 2. The abandoned well, along with any additional wells that may be located on the site must be properly plugged according to the City Code Chapter 34, Division 2 Section 574 by a registered well driller.

3. The abandoned septic system, along with any additional septic systems that may be located on the site must be properly abandoned according to City Code Chapter 34 Article V Division 2 Section 446.
4. Hazardous material shall not be transported to or from this site.
5. There will be no temporary outside storage or delays in the transfer of borate treated lumber at the project site.
6. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
7. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
8. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 704-1158 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.

#### **General**

1. Development within the floodplain and floodplain buffer zones must be in accordance with Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone in the Floodplain Preservation Area(s).
2. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
3. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is

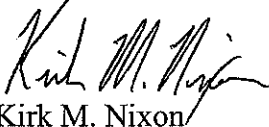
listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.

4. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
  - D. A copy of the approved Water Pollution Abatement Plan.
5. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
6. If a water quality basin is constructed on the property, the following is required:
  - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 704-7305 to schedule a site inspection.
  - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 704-7305 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
  - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 704-1158 prior to any discharge of water.
  - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.
7. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.



8. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

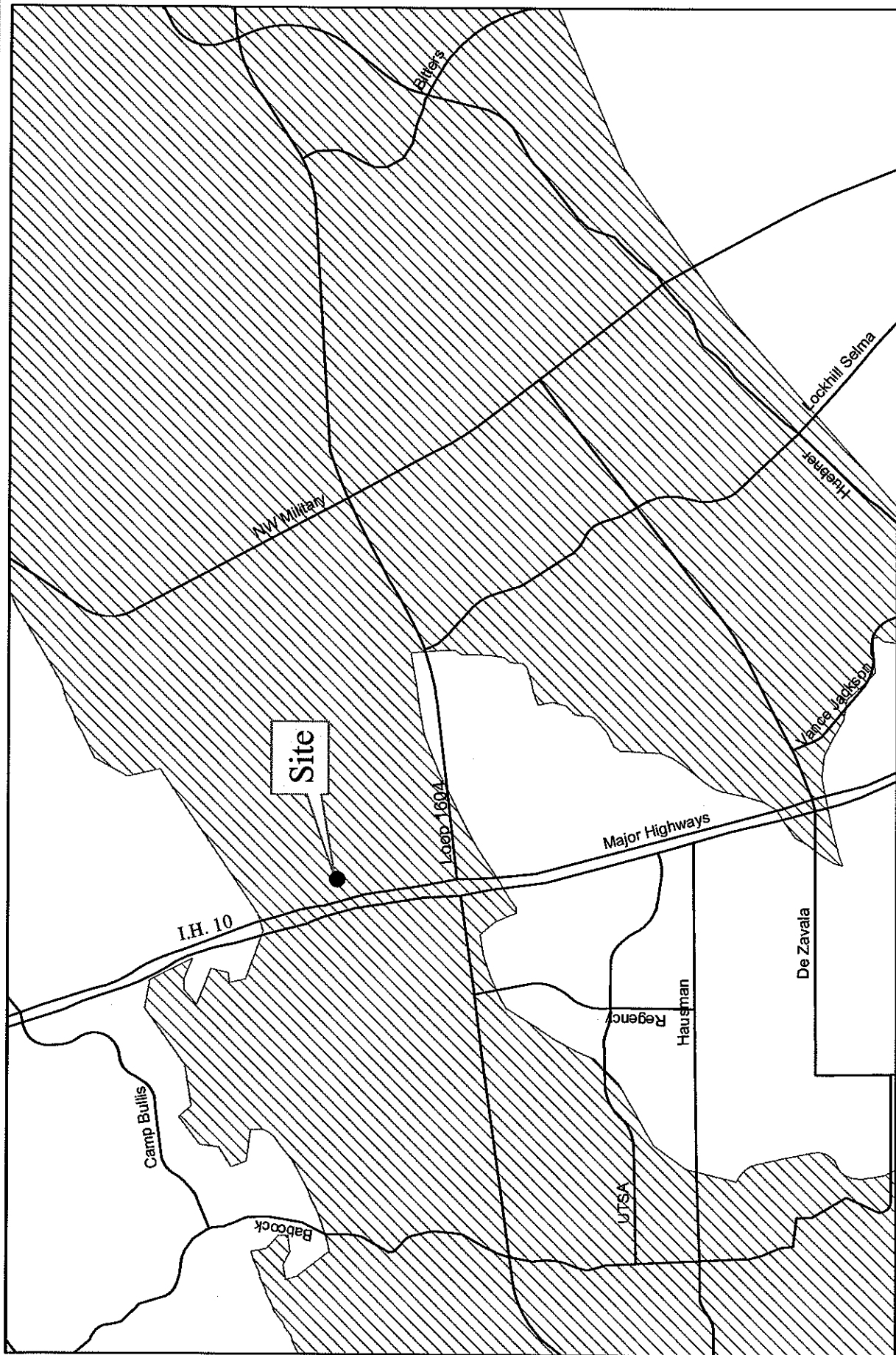
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

  
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:

  
Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:KJL



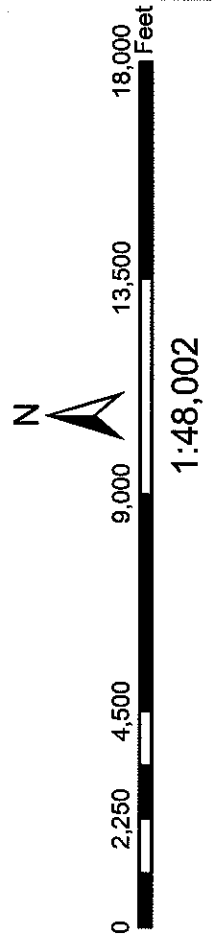
# **Zoning Case Z2005218 Figure 1**

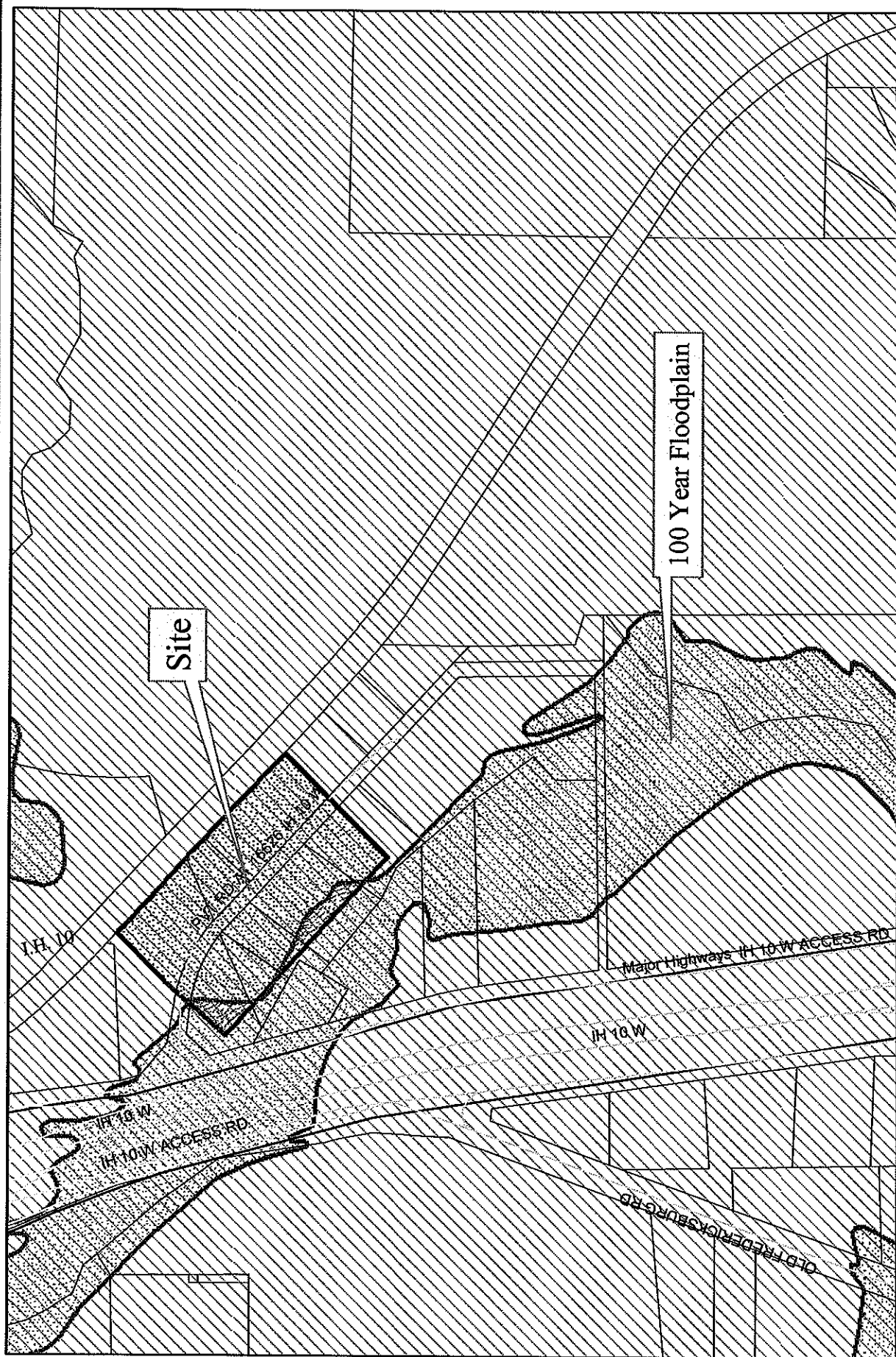
Railroad reload facility

Map Page 514 D4

X = 2096262 Y=13765946

Map Prepared by Aquifer Protection and Evaluation KJL 8/30/2005





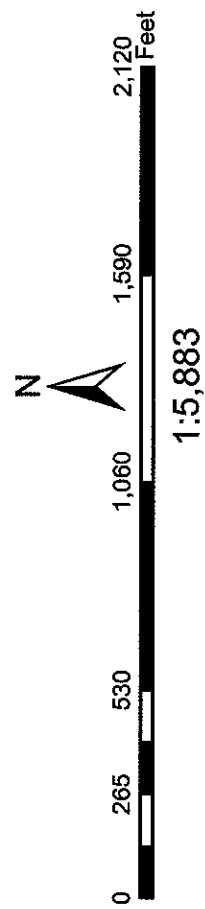
**Zoning Case Z2005218 Figure 2**

Railroad reload facility

Map Page 514 D4

X = 2096262 Y=13765946

Map Prepared by Aquifer Protection and Evaluation KJL 8/30/2005



# CASE NO: Z2005227

## Final Staff Recommendation - Zoning Commission

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**Date:** October 18, 2005

**Council District:** 1

**Ferguson Map:** 582 C4

**Applicant Name:**

Jerry Arredondo

**Owner Name:**

Gordon Schabert

**Zoning Request:** From "R-4" Residential Single-Family District to "NC" Neighborhood Commercial District.

**Property Location:** Lot 35, Block 20, NCB 9223

570 Hermine Road

Located on Hermine Road, east of Blanco Road

**Proposal:** To allow for a mail order and small retail store

**Neigh. Assoc.** Northmoor Neighborhood Association; within 200 feet of the Northwest Los Angeles Heights Neighborhood Association

**Neigh. Plan** North Central Community Plan

**TIA Statement:** Traffic Impact Analysis not required

**Staff Recommendation:**

Inconsistent. The North Central Neighborhoods Community Plan calls for Low Density Residential at this location.

Denial of "NC" Neighborhood Commercial. The property is located at the intersection of Blanco Road and Hermine Road, a Secondary Arterial Type A and a local street, respectively. The house was built as a residence and faces the local street. The entire property around the structure has been paved and there is no record of a permit being issued for that construction of a parking lot. Commercial uses should be concentrated at nodes of collectors and arterials or higher and should not form a linear border on every collector, arterial, and higher classification road within the city. The intersection of Blanco Road and Hermine Road forms the gateway to an existing neighborhood through which residents must drive on a daily basis.

**CASE MANAGER :** Judy Eguez 207-7442

1

1	2	3	4	5	6	7	8	9	10	11	12	13
40	39	38	37	36	35	34	33	32	31	30	29	28

[illegible]

VAC	4			1/R	1/R	1/R	1/R	1/R	1/R
BLDS	3								
	2	C2							
	1								

Two examples of a 1D lattice with 13 sites. The top lattice shows a state with two excitations (red dots) at sites 3 and 10, and a green 'R4' label. The bottom lattice shows a state with two excitations at sites 9 and 12, and a green 'R4' label.

1/R 35	1/R 36 R4	1/R 37	1/R 38 9223	1/R 39	1/R 40	1/R 41 20	1/R 42	1/R 43	1/R 44	1/R 45	1/R 46	1/R 47	1/R 48	1/R 49
53 1/R	54 1/R	55 1/R R4	56 1/R	57 1/R	58 1/R 20	59 1/R 9223	60 1/R	61 1/R	62 1/R	63 1/R	64 1/R	65 1/R	66 1/R	67 1/R

1/R	1/R	1/R	1/R	1/R	1/R	1/R	1/R	1/R	1/R	1/R	1/R	1/R	1/R	1/R	1/R	1/R	1/R
35 R4	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52

[illegible][illegible]

COMPANY	NC-C	PARKING		
53	54	55	56	57
C3NA			RM4	R4
				58
				59
				PARKING

## Subject Property

 **200' Notification**

C:\Oct 4 2005



# CASE NO: Z2005229

## Final Staff Recommendation - Zoning Commission

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**Date:** October 18, 2005

**Council District:** 1

**Ferguson Map:** 581 F1

**Applicant Name:**

Jerry Arredondo

**Owner Name:**

Gordon Schabert

**Zoning Request:** From "R-4" Residential Single-Family District to "O-1" Office District.

**Property Location:** Lot 41, Block 7, NCB 10994

274 Birchwood Drive

Located on Birchwood Drive, east of Vance Jackson, and south of Loop 410.

**Proposal:** To allow for an accounting office

**Neigh. Assoc.** Dellview Area Neighborhood Association

**Neigh. Plan** Greater Dellview Community Plan adopted September 29, 2005

**TIA Statement:** Traffic Impact Analysis not required

### **Staff Recommendation:**

The subject property falls within the newly adopted Greater Dellview Community Plan. The applicant submitted the request prior to the adopted plan and no finding of consistency is required.

The requested zoning does not conform to the newly adopted Greater Dellview Community Plan.

Denial. The subject property and the requested zoning may not be suitable for development because of the size, the required Type B 15 foot buffer and the lack of off street parking.

There are no commercial uses or zoning south of Birchwood. This area is all residential. The introduction of any commercial use or conditional zoning would be introducing commercial encroachment to a viable healthy neighborhood. This same type of encroachment can be seen in many areas such as San Pedro, Basse, Blanco and other areas. Similar types of encroachment have occurred in these areas and conflicts have resulted.

**CASE MANAGER :** Richard Ramirez 207-5018

\_\_\_\_\_ Notices Mailed  
\_\_\_\_\_ In Opposition  
\_\_\_\_\_ In Favor

**ZONING CASE: Z2005-229**

## City Council District No. 1

**Requested Zoning Change  
From "R-4" To "O-1"**

**Date: October 18, 2005**

**Scale: 1" = 200'**

**Subject Property**

 **200' Notification**



C:\Oct 4 2005



# CASE NO: Z2005231

## Final Staff Recommendation - Zoning Commission

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**Date:** October 18, 2005

**Council District:** 9

**Ferguson Map:** 483 B6

**Applicant Name:**

Brown, P. C., Attorneys at Law

**Owner Name:**

Big Springs, Ltd.

**Zoning Request:** From PUD "R-6 ERZD" Planned Unit Development Residential Single-Family Edwards Recharge Zone District to "MF-33 ERZD" Multi-Family Edwards Recharge Zone District.

**Property Location:** P-10, NCB 19219

West of the intersection of 281 North and Evans Road

**Proposal:** Proposing multi family use

**Neigh. Assoc.** Stone Oak Property Owner's Association and Big Spring Neighborhood Association

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required.

### Staff Recommendation:

Approval

The subject property is currently vacant and located west of the intersection of two major thoroughfares, Evans Road and 281. The property to the east is an established single-family residential development. The properties to the north, south and west are currently vacant and zoned for residential to the south and west, and commercial to the north.

This property is better suited for multi-family development due to the size of the property. Furthermore, it will serve as a transition between the residential development to the east and the drainage to the west.

SAWS Summary:

1. SAWS recommends approval of the proposed land use.
2. This site is a Category 2 property
3. SAWS recommends that the impervious cover on the site shall not exceed 30%.

**CASE MANAGER :** Robin Stover 207-7945





**SAN ANTONIO WATER SYSTEM  
Interdepartment Correspondence Sheet**

DEV. SERVICES

**To:** Zoning Commission Members

2005 OCT -4 A 11:41

**From:** Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

**Subject:** Zoning Case Z2005231 (Big Springs)

**Date:** October 4, 2005

**SUMMARY**

A request for a change in zoning has been made for an approximate 3.886-acre tract located on the city's north side. A change in zoning from **R-6 PUD ERZD** to **MF-33 ERZD** is being requested by the applicant, Brown, P.C., by Mr. Kenneth W. Brown. The change in zoning has been requested to allow a multi-family development.

**As of the date of this report, an official request for a site specific category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information provided, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".**

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

**LOCATION**

The subject property is located in City Council District 9, on Evans Road, near the intersection of Evans Road and Evans Springs. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

**SITE EVALUATION**

1. Development Description:

The proposed change is from R-6 PUD ERZD to MF-33 ERZD and will allow for the construction of a multi-family development. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

2. Surrounding Land Uses:

An undeveloped lot is east, west, and north of the property. Evans Road bound the southern boundary.

3. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

4. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted a field observation on September 19, 2005 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Mr. Gregory James, P.G., was present during the site evaluation and observed no sensitive recharge features on the site. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Dolomitic Member of the Edwards Aquifer. This was verified during a site investigation by observing the extensive outcropping of bedrock on the eastern portion of the project. The Dolomitic Member is characterized by cavern development along bedding planes and structural features. It is generally 110 to 130 feet thick in full section.<sup>1</sup> There is a creek way adjacent to the southern boundary of the property. According to FEMA Flood Insurance Maps, no part of the subject property is within the 100 – year floodplain.

## ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

1. Standard Pollution/Abatement Concerns:

- A. There is a creek way adjacent along the southern boundary of the property where recharge may occur.
- B. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.

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<sup>1</sup> William G. Stein and George B. Ozuna, U.S. Geologic Survey Water Resources Investigations Report 95 - 4030, Austin, TX, 1996, p. 7

- C. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

## **ENVIRONMENTAL RECOMMENDATIONS**

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

### **Site Specific**

1. The impervious cover shall not exceed 30% on the site.
2. A floodplain buffer shall be provided along the southwest portion of the property as required in Ordinance No. 81491, Section 34-913.
3. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
4. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
5. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
6. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 704-1158 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.


7. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.

### **General**

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
  - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
  - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 704-7305 to schedule a site inspection.
  - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 704-7305 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
  - D. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 704-1158 prior to any discharge of water.

- E. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.
- 5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
- 6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

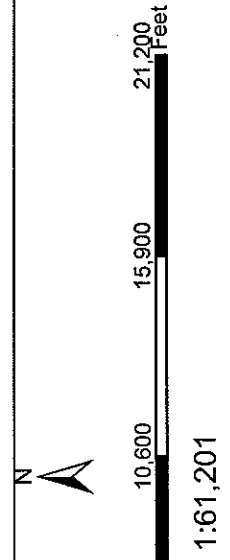
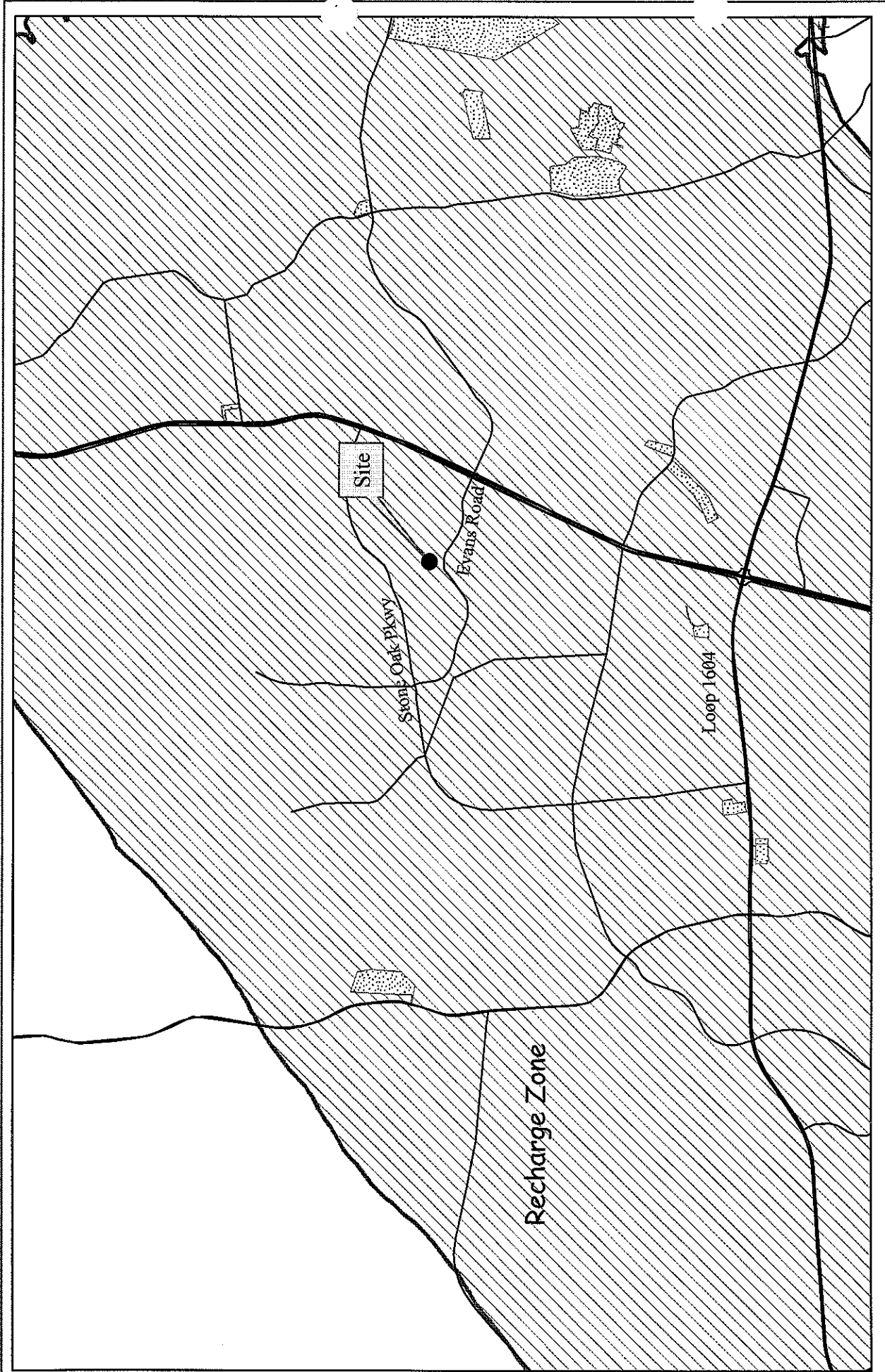
  
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:

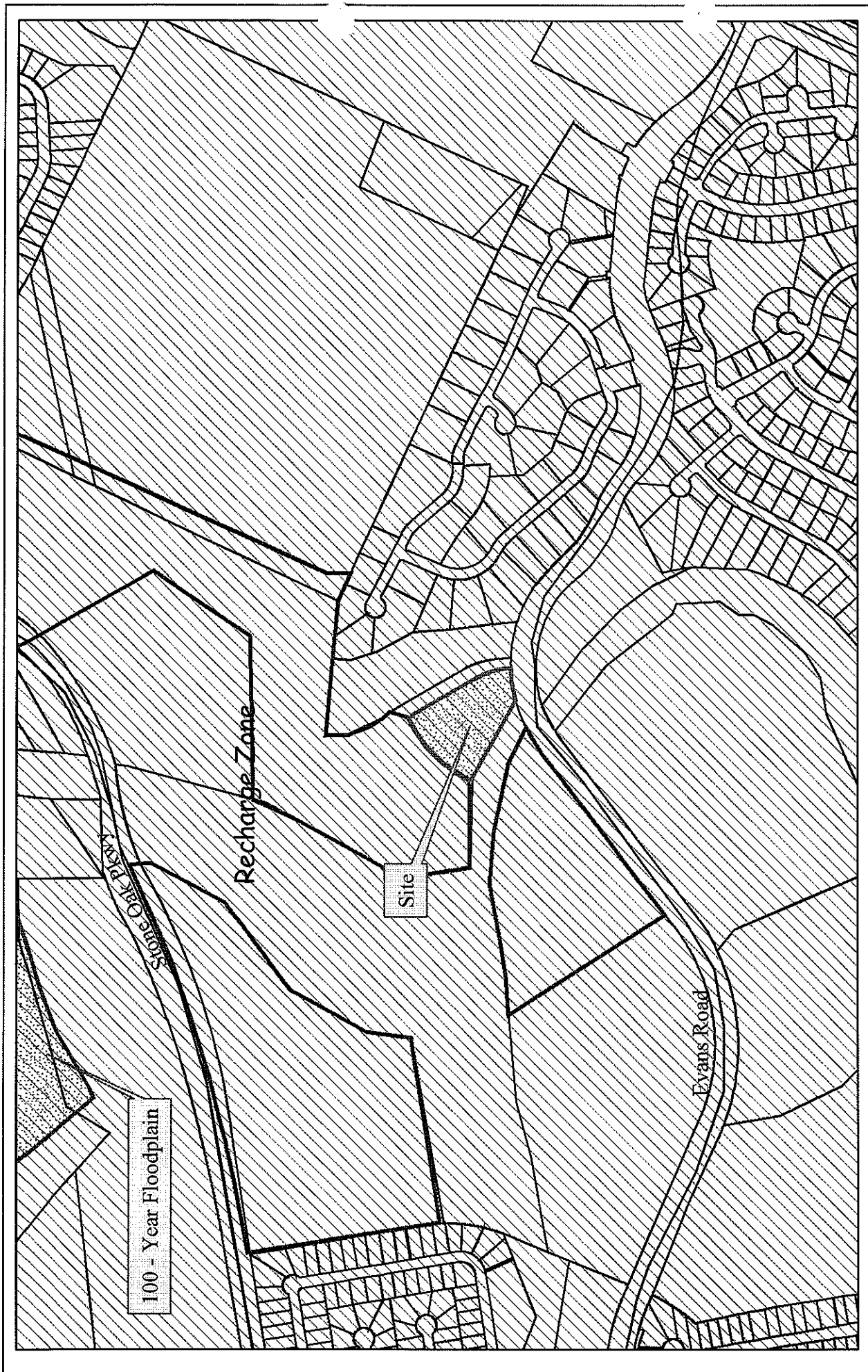


Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:MJB



**Zoning Case No. Z2005231 Figure 1**  
 Multi - Family (Big Spring)  
 Map Page 483 B6  
 X=2137685 Y=13780979  
 Map Prepared by Aquifer Protection and Evaluation MJB 9/15/2005



**Zoning Case No. Z2005231 Figure 2**

Multi - Family (Big Spring)

Map Page 483 B6

X=2137685 Y=13780979

Map Prepared by Aquifer Protection and Evaluation MJB 9/15/2005



# CASE NO: Z2005232

## Final Staff Recommendation - Zoning Commission

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**Date:** October 18, 2005

Zoning Commission continuance from October 4, 2005

**Council District:** 7

**Ferguson Map:** 580 D6

**Applicant Name:**

Brown, P. C.

**Owner Name:**

W. P. Southwell

**Zoning Request:** From "O-1" Office District to "R-6" Residential Single-Family District.

**Property Location:** Lots 119 through 122, Block E, NCB 11545

128 Woodside Drive

Woodside Drive and Callaghan Road

**Proposal:** To develop as Single-Family Residential Neighborhood

**Neigh. Assoc.** Ingram Hills Association

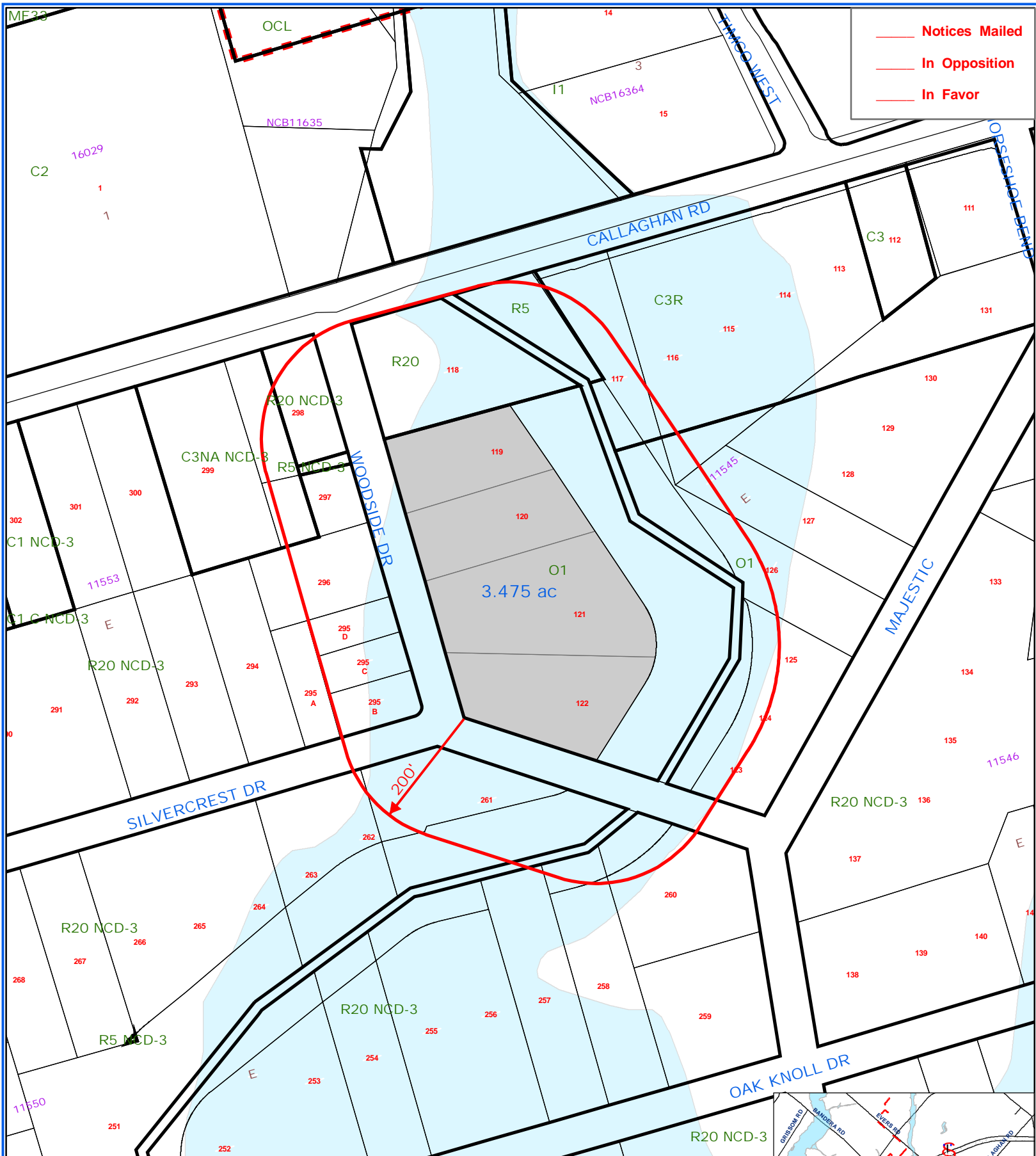
**Neigh. Plan** Woodlawn Hills/Ingram Hills Neighborhood Plan (no finding of consistency is required)

**TIA Statement:** A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Approval. This is an undeveloped property. The "R-6" zoning request will compliment the area. The requested zoning is a reduction in zoning, will act as a transition to the neighborhood to the south and is buffered by a drainage feature to the south and east.

**CASE MANAGER :** Richard Ramirez 207-5018

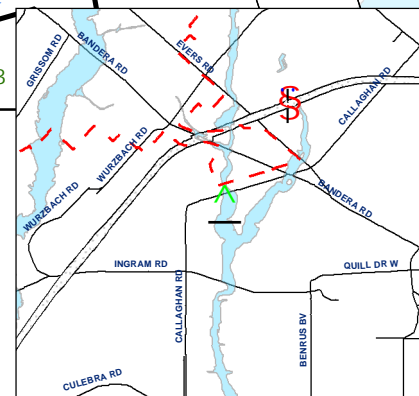


# ZONING CASE: Z2005-232

City Council District No. 7  
Requested Zoning Change  
From "O-1 " To "R-6 "  
Date: October 18, 2005  
Scale: 1" = 200'

Subject Property  
200' Notification

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# CASE NO: Z2005233 S

## Final Staff Recommendation - Zoning Commission

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**Date:** October 18, 2005

**Council District:** 9

**Ferguson Map:** 482 E8

**Applicant Name:**

Jerry Arredondo

**Owner Name:**

Stone Oak Enterprises, L. P.

**Zoning Request:** From "C-2" ERZD Commercial Edwards Recharge Zone District to "C-2 S" ERZD Commercial Edwards Recharge Zone District with a Specific Use Permit for a Bar.

**Property Location:** 0.0620 acres out of NCB 17608

19141 Stone Oak Parkway, Suite 206

Southwest corner of Huebner Road and Stone Oak Parkway

**Proposal:** For bar and grill

**Neigh. Assoc.** Stone Oak Property Owner's Association, Sonterra Property Owner's Association, and Stone Oak Communities of Mutual Amenities (within 200 feet)

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Approval

The subject property is located in a developed shopping center west of the intersection of Stone Oak Parkway and Huebner Road. The applicant is requesting the zoning change in order to allow for a bar. The surrounding properties are primarily retail uses and are zoned "C-2" Commercial District.

This zoning change would be appropriate at this location due to the surrounding land uses. A bar is defined as any use which 75% or more of gross revenue is derived from the on-premise sale and consumption of alcoholic beverages. The maximum square footage is limited to 2,000 square feet of building area excluding the kitchen, restrooms, and storage areas.

**SAWS Summary:**

1. SAWS recommends approval of the proposed land use.
2. This site is a Category 1 property

**CASE MANAGER :** Robin Stover 207-7945



**SAN ANTONIO WATER SYSTEM**  
**Interdepartment Correspondence Sheet**

DEV SERVICES

2005 SEP 27 P 12: 29

**To:** Zoning Commission Members

**From:** Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Karen Schubert, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

**Subject:** Zoning Case Z2005233 (Cross-Eyed Seagull)

**Date:** October 4, 2005

**SUMMARY**

A request for a change in zoning has been made for an approximate 0.062-acre tract located on the city's north side. A change in zoning from "**C-2 ERZD**" to "**C-2 C ERZD**" is being requested by the applicant, Mr. Jerry Arredondo. The change in zoning has been requested to allow for the sale and consumption of alcoholic beverages at an existing restaurant. The property is classified as Category 1 property.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed zoning change. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

**LOCATION**

The subject property is located in City Council District 9, near the southwest intersection of Stone Oak Parkway and Huebner Road. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

**SITE EVALUATION**

1. Development Description:

The proposed change is from C-2 ERZD to C-2 C ERZD and will allow for the sale and consumption of alcoholic beverages at an existing restaurant. The property is developed.

2. Surrounding Land Uses:

The property is located with in an existing commercial retail shopping center.

3. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted an evaluation on September 23, 2005 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Dolomitic Member of the Edwards Aquifer. Observation of underlying geology was not possible since the site is developed and covered with parking and buildings.

Additionally, staff reviewed the geologic assessment in the WPAP (dated 10/30/2002), prepared by David Seagraves, and no sensitive recharge features were observed on the site. Based on our evaluation, staff is in general agreement with the findings of the Geologic Assessment report. According to FEMA Flood Insurance Maps, no portion of the subject site is located within the 100-year floodplain.

4. Water Pollution Abatement Plan:

The property is contained within the Stone Oak Crossing Office/Retail Park WPAP. This plan was submitted on March 7, 2003 and approved by the Texas Commission on Environmental Quality on May 5, 2003. The WPAP proposes 88% impervious cover for the overall project.

## **ENVIRONMENTAL CONCERNS**

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

1. Standard Pollution/Abatement Concerns:

- A. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
- B. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

## **ENVIRONMENTAL RECOMMENDATIONS**

If the property is rezoned by the San Antonio City Council, then the following conditions shall apply to address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

### **Site Specific**

- 1. The owner of all water pollution abatement structures shall be properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.

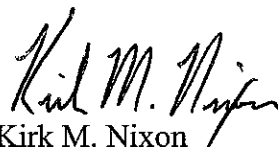
2. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing groundwater pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, TX Department of Agriculture, U.S. Department of Agriculture, shall be used.
3. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 704-1158 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.

#### **General**

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
3. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
  - D. A copy of the approved Water Pollution Abatement Plan.
4. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
5. If a water quality basin is constructed on the property, the following is required:

- A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 704-7305 to schedule a site inspection.
  - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 704-7305 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
  - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 704-1158 prior to any discharge of water.
  - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division.
6. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
7. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed zoning change. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

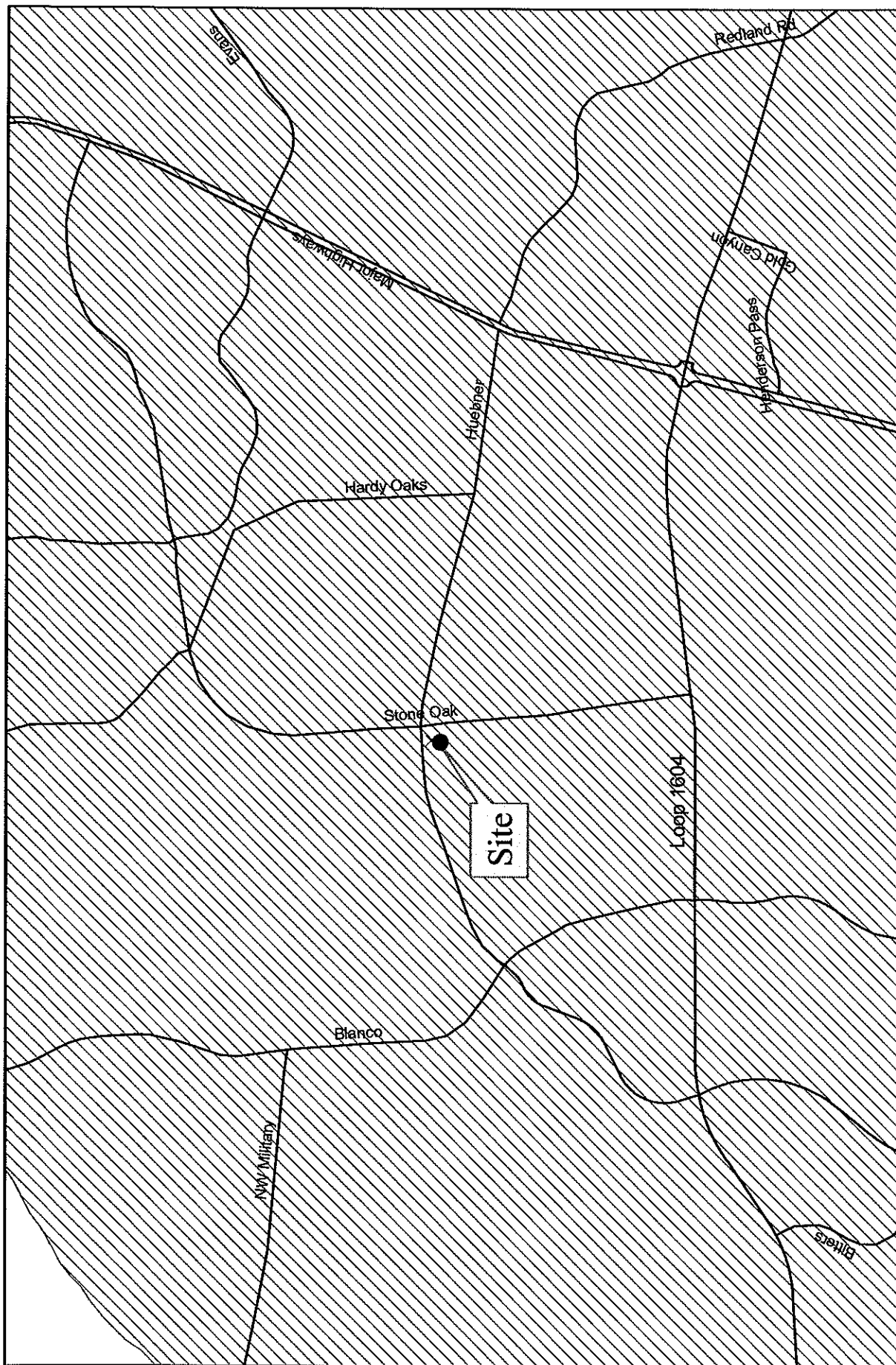
  
Kirk M. Nixon  
Manager, Resource Protection Division

APPROVED:



Scott R. Halty  
Director, Resource Protection & Compliance Department





# **Zoning Case Z2005233 Figure 1**

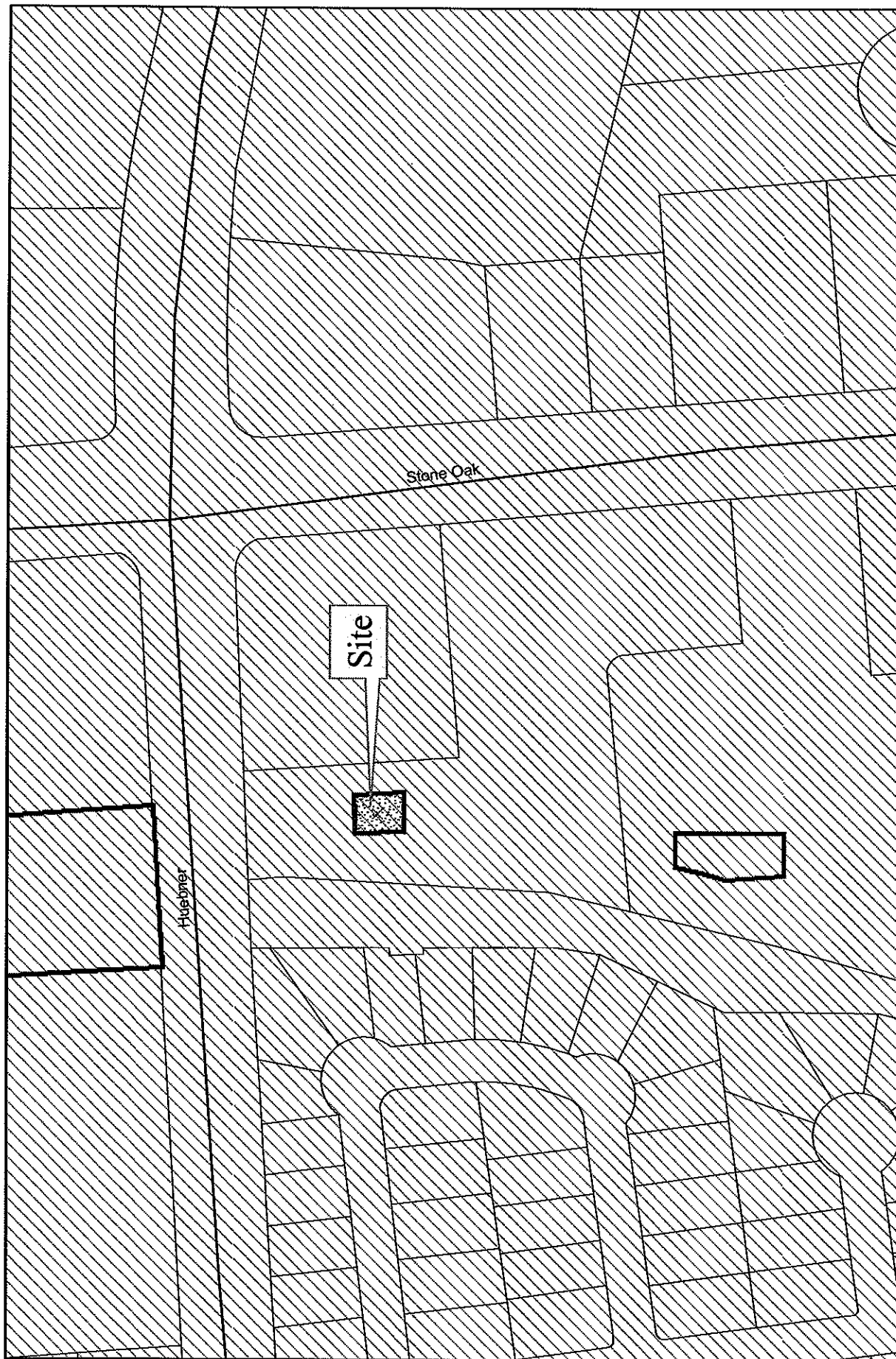
Cross-Eyed Seagull

Map Page 482 E8

X = 2128554 Y=13775540

Map Prepared by Aquifer Protection and Evaluation KJL 9/23/2005

1:41,166



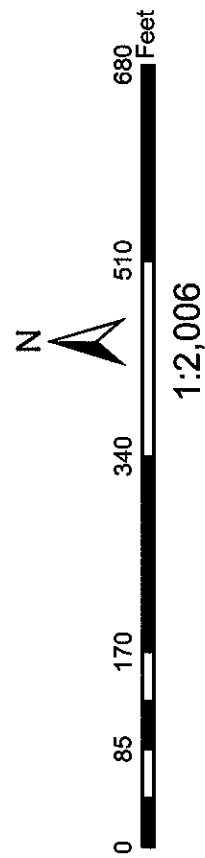
**Zoning Case Z2005233 Figure 2**

Cross-Eyed Seagull

Map Page 482 E8

X = 2128554 Y = 13775540

Map Prepared by Aquifer Protection and Evaluation KJL 9/23/2005



# CASE NO: Z2005234 CD

## Final Staff Recommendation - Zoning Commission

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**Date:** October 18, 2005

**Council District:** 1

**Ferguson Map:** 582 D2

**Applicant Name:**

Joseph N. Barfield

**Owner Name:**

Joseph N. Barfield

**Zoning Request:** From "R-5" Residential Single-Family District to "R-5 CD (Bed and Breakfast)" Residential Single-Family District with Conditional Use for a Bed and Breakfast.

**Property Location:** Lot 18, Block 1, NCB 13441

606 Jackson Keller Road

Southeast of the intersection of Jackson-Keller and Ave Maria Drive

**Proposal:** To allow for a bed and breakfast

**Neigh. Assoc.** North Shearer Hills Neighborhood Association

**Neigh. Plan** North Central Neighborhood Plan

**TIA Statement:** A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Consistent

The proposal is consistent with the North Central Neighborhood Plan. The plan recommends low density single-family residential at this site.

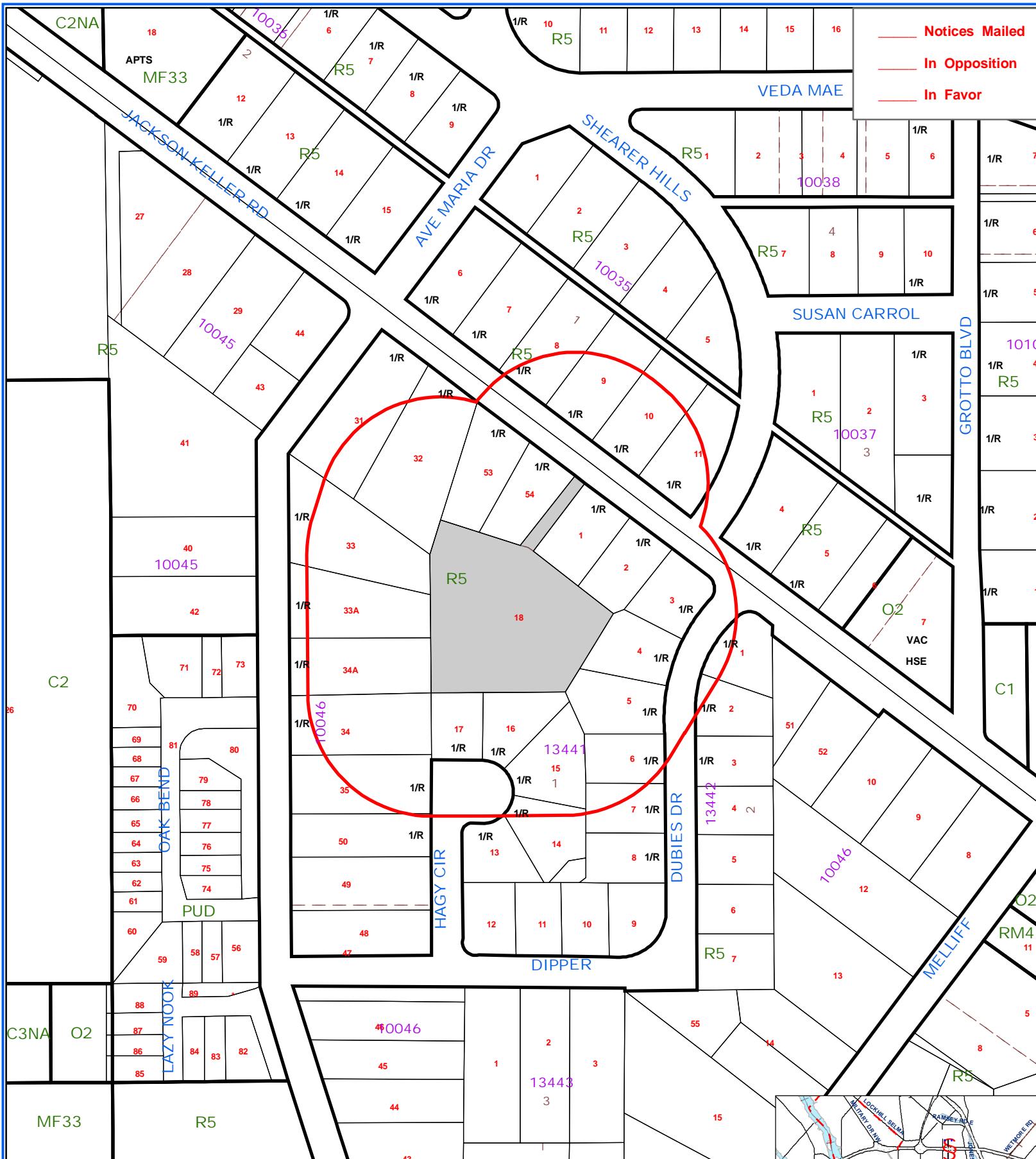
**Approval**

The subject property is currently used for a single-family residential dwelling. The surrounding properties are all established single-family residential dwellings.

The zoning change to allow for a bed and breakfast would be appropriate at this location. The property offers plenty of space for parking and the applicant is required to continue to live in the structure. The applicant is permitted to have one guest room due to the "R-5" Single-Family Residential District.

**CASE MANAGER :** Robin Stover 207-7945

\_\_\_\_\_ Notices Mailed  
 \_\_\_\_\_ In Opposition  
 \_\_\_\_\_ In Favor

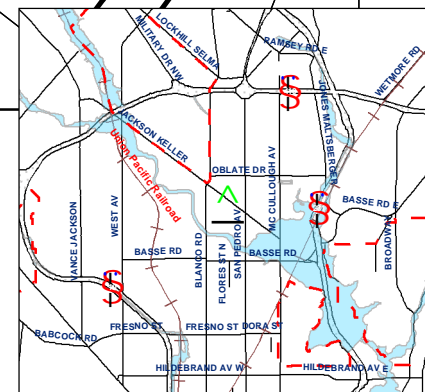


# ZONING CASE: **Z2005-234 CD**

City Council District No. 1  
 Requested Zoning Change  
 From "R-5" To "R-5 CD"  
 Date: October 18, 2005  
 Scale: 1" = 200'

[Grey Box] Subject Property  
 [Red Circle] 200' Notification

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# CASE NO: Z2005235

## Final Staff Recommendation - Zoning Commission

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**Date:** October 18, 2005

**Council District:** 4

**Ferguson Map:** 714 F3 & F4

**Applicant Name:**

Brown, P. C.

**Owner Name:**

Presto Tierra, Ltd.

**Zoning Request:** From "FR" Farm and Ranch District, "RD" Rural Development District and "MI-1" Mixed Light Industrial District to "MPCD" Master Planned Community District.

**Property Location:** 532.59 acres out of CB 4298

Southwest corner of Watson Road and State Highway 16

**Proposal:** To develop as a mixed-use, mixed-intensity project

**Neigh. Assoc.** None

**Neigh. Plan** Southside Initiative Community Plan

**TIA Statement:** Level-3 Traffic Impact Analysis has been submitted with recommendations for on-site and off-site improvements

### **Staff Recommendation:**

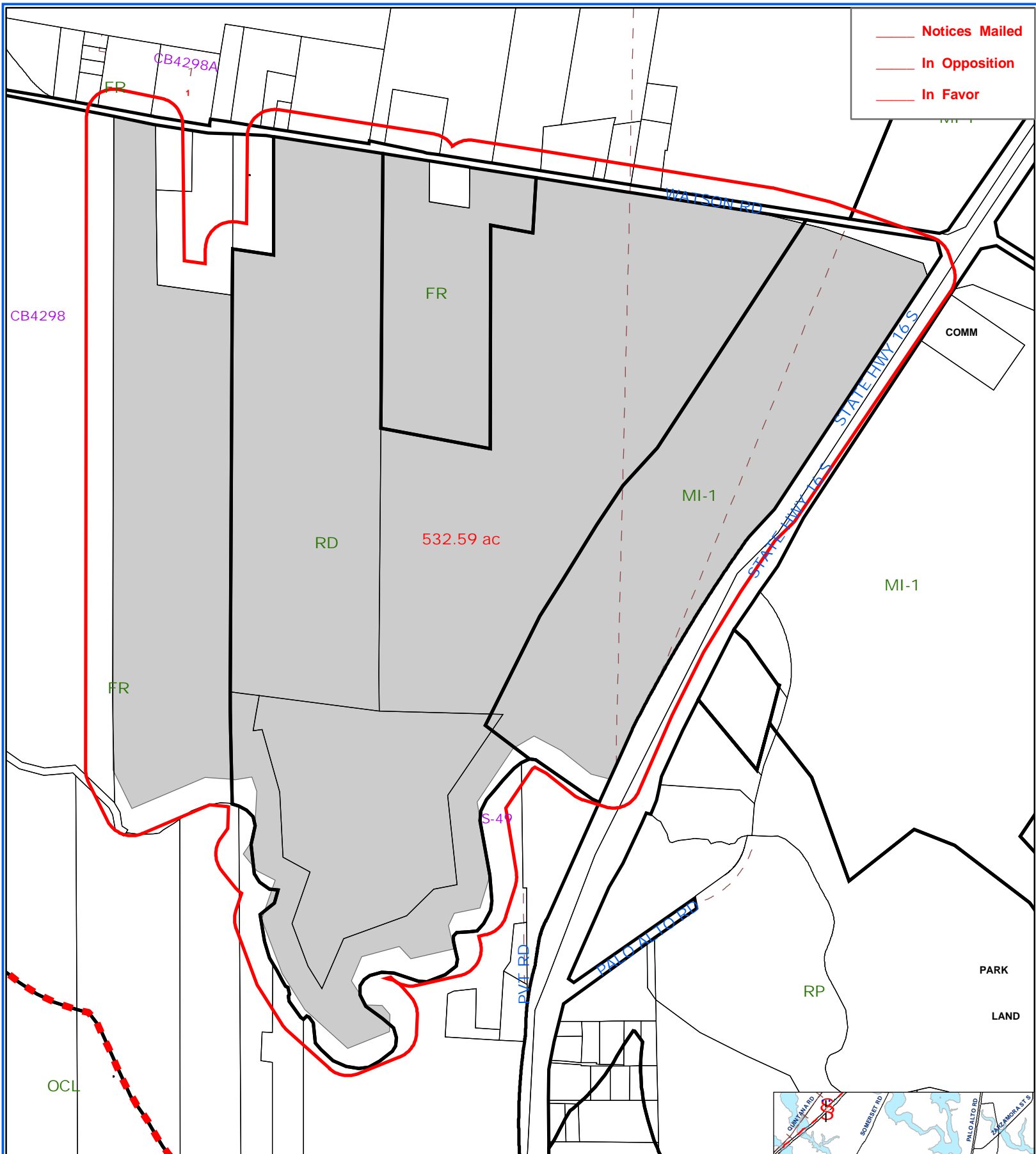
Inconsistent. The requested "MPCD" does not conform to the land use plan of The City South Community Plan

A Plan Amendment has been submitted and will be heard by Planning Commission on October 26, 2005.

Denial of "MPCD". The Staff supports change from "FR" to "RD" only. Flex Districts are the preferred zoning districts for the City South (Southside Initiative) Community Plan area. The proposed project can be accomplished using the Flex Development Plan provisions and conservation subdivision provisions of the existing "RD" and "MI-1" zoning districts.

Agriculture and Light Industry land uses should remain as an appropriate transitional land use to Heavy Industrial due to potential nuisances.

**CASE MANAGER :** Richard Ramirez 207-5018



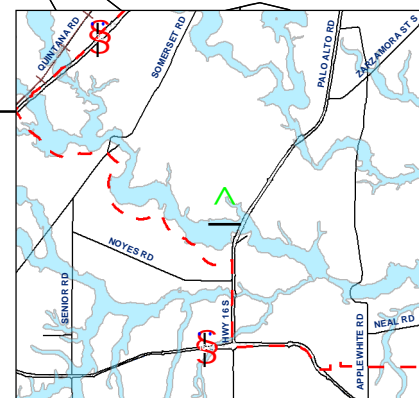
## ZONING CASE: Z2005-235

City Council District No. 4  
 Requested Zoning Change  
 From "FR,RD.MI-1" To "MPCD"  
 Date: October 18, 2005  
 Scale: 1" = 900'

Subject Property  
 200' Notification



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# CASE NO: Z2005236

## Final Staff Recommendation - Zoning Commission

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**Date:** October 18, 2005

**Council District:** 10

**Ferguson Map:** 551 E6

**Applicant Name:**

Lancaster Development Company

**Owner Name:**

Tom E. Turner Family Foundation

**Zoning Request:** From "R-6" Residential Single-Family District to PUD "MF-25" Planned Unit Development Multi-Family District not to exceed 26 units.

**Property Location:** Lot H and Lot I, NCB 12104

2900 Nacogdoches Road

Southeast side of Nacogdoches Road at Lovelace Drive

**Proposal:** To develop a single-family and townhouse subdivision

**Neigh. Assoc.** Forest Oak Neighborhood Association

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required

### Staff Recommendation:

Approval.

The subject property is located on Nacogdoches Road a major thoroughfare. Two single-family dwellings currently exist on the subject property. The PUD "MF-25" is appropriate for this location. The property to the southeast and southwest is currently zoned "R-6" Residential Single-Family District and consists of single-family dwellings. The zoning to the northwest is zoned "R-6" Residential Single-Family District and consists of a church.

The subject property is approximately 6.009 acres. PUD "MF-25" would limit the density to 4.4 units per acre. The density permitted in PUD "MF-25" is less than the current zoning, which would permit 7 units per acre.

The PUD planned unit development district is established to provide flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties. The PUD plan shall incorporate any conditions imposed with the granting of the PUD zoning.

**CASE MANAGER :** Pedro Vega 207-7980



